

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

TRUSTEES OF THE HEATING, PIPING)
AND REFRIGERATION PENSION)
FUND, *et al.*,)

Plaintiffs,)

v.)

S.E.C. HEATING AND A/C)
MECHANICAL SERVICE, LLC,)

Defendant.)
_____)

Case No. 1:20-mc-00030 (AJT/IDD)

ORDER

This matter is before the Court on the Report and Recommendation, [Doc. No. 20] (“Report”), of Magistrate Judge Davis (the “Magistrate Judge”). In the Report, the Magistrate Judge recommends that Plaintiffs’ Motion for Order to Show Cause as to Defendant S.E.C. Heating and A/C Mechanical Service, LLC (“Defendant”), [Doc. No. 14] (the “Motion”), be granted and that Defendant be held in contempt of court. The Magistrate Judge found that the Defendant violated this Court’s May 14, 2021 and August 20, 2021 Orders and failed to appear at the show cause hearing on September 3, 2021. The Magistrate Judge further advised the parties that objections to the Report must be filed within fourteen (14) days of service and that failure to object waives appellate review. [Doc. No. 20] at 5-6. No party has filed an objection to the Report within fourteen (14) days of service. Having conducted a *de novo* review of the record, the Court adopts and incorporates the findings and recommendations of the Magistrate Judge.

Accordingly, it is hereby


ORDERED that the Report and Recommendation, [Doc. No. 20], be, and the same hereby is, **ADOPTED**; and it is further

ORDERED that Plaintiffs' Motion to Show Cause, [Doc. No. 14], be, and the same hereby is, **GRANTED** and Defendant be, and the same hereby is, declared in contempt of court for its failure to comply with the Court's orders dated May 14, 2021 and August 20, 2021 and its failure to appear at the show cause hearing on September 3, 2021; and it is further

ORDERED that Defendant produce all responsive pleadings within ten (10) days of the date of this Order; and it is further

ORDERED that if Defendant fails to comply, Defendant pay a coercive fine of \$250 per day until it complies with its post-discovery obligations together with all reasonable costs and attorney's fees incurred by the Plaintiffs in filing their Motion to Compel and Motion to Show Cause.

The Clerk is directed to forward a copy of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
December 9, 2021